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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,964	02/23/2004	Andrew Bocking	16813-4US	7566
20988	7590	10/30/2007		
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			EXAMINER PILLAI, NAMITHA	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 10/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/782,964

Applicant(s)

BOCKING ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. The Examiner acknowledges Applicant's submission on 8/10/07 including amendments to claims 1, 12 and 24. All pending claims have been rejected where the previous rejection has been maintained.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10, 12-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Borland** (US6320943).

**Claims 1, 12 and 24: Borland** discloses a wireless communications device, method and computer program product having a computer readable medium for use in a wireless network comprising: a user interface for controlling the operations of the wireless communications device (Column 5, Lines 18-27) including a component to compose a destination for an outgoing communication generated by the device, said component providing together:  
a prompt for receiving the destination from a user (Column 5, Lines 29-43); and  
a hot list of candidate destinations from which the user may select the destination (Column 5, Lines 44-62). The hot list of candidate destinations from which the user

may select is itself a prompt for receiving destination selection, therefore the prompt and hot list are provided simultaneously together.

**Claims 2 and 13: Borland** discloses the wireless communications device and method of claim 1 and 12, further including: a key-based input device to input the destination (Column 4, Lines 18-21).

**Claims 3 and 14: Borland** discloses the wireless communications device and method of claim 2 and 13, the user interface comprises a home screen component from which to invoke a feature from among a plurality of features provided by the device (Column 2, Lines 45-58); and wherein the component to compose a destination is invokable from the home screen component automatically in response to an input from the key-based input device of a portion of the destination (Column 2, Lines 45-58).

**Claims 4 and 15: Borland** discloses the wireless communications device and method of claim 3 and 14, wherein the destination is a telephone number to be called and the input is a portion of a telephone number (Column 6, Lines 47-51).

**Claims 5 and 16: Borland** discloses the wireless communications device of claim 3 and 14, wherein the portion of the destination populates the prompt when the component to compose a destination is invoked (Column 6, Lines 47-51).

**Claims 6: Borland** discloses the wireless communications device of claim 1 wherein the component to compose a destination is invokable in response to at least one of: an interaction with a home screen component of the user interface from which to invoke a feature from among a plurality of features provided by the wireless communications device; and an auxiliary input device (Column 1, Lines 46-49).

**Claims 7: Borland** discloses the wireless communications device of claim 3 wherein the component to compose a destination is further invokable in response to at least one of: an interaction with the home screen component of the user interface; and an auxiliary input device (Column 1, Lines 46-49).

**Claims 8 and 18: Borland** discloses the wireless communications device and method of claim 1 and 12, wherein the component to compose a destination is navigable by a user to move between the prompt and hot list (Column 5, Lines 53-55).

**Claims 9 and 20: Borland** discloses the wireless communications device and method of claim 1 and 13, wherein the component to compose a destination is adapted to provide a filtered list of destinations from a store of destinations on the device in response to a filter input by the user (Column 5, Lines 65-66 and Column 6, Lines 1-6), said filtered list selectable by the user to choose a destination (Column 5, Lines 65-66 and Column 6, Lines 1-6).

**Claims 10 and 22: Borland** discloses the wireless communications device and method of claim 1 and 12 wherein the prompt is adapted to permit a user to navigate and change the destination while composing (Column 5, Lines 9-11).

**Claims 17: Borland** the method of claim 12 comprising: providing a home screen from which to invoke a feature from among a plurality of features provided by the device; and invoking the providing of the composition screen from the home screen in response to one of: an input of a portion of the destination; an interaction with the home screen; and an activation of an auxiliary input device dedicated to invoke the composition screen (Column 1, Lines 46-49).

**Claims 19 and 21: Borland** the method of claim 18 and 12, comprising receiving the destination selected from the hotlist and generating the outgoing communication in response (Column 6, Lines 2-6).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Borland** (US6320943).

**Claims 11 and 23: Borland** discloses the wireless communications device and method of claim 1 and 12, **Borland** does not disclose, "the component to compose a destination is adapted to provide at least one action button for terminating composition of the destination". However, Official Notice is taken that it is old and well known within the computing arts to include buttons (i.e. cancel, stop, close, etc.) in order to terminate undesirable actions. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a cancel button in **Borland**. One would have been motivated to do so in order to allow a user to prevent the message being sent if the user erroneously selected an undesirable destination.

#### ***Response to Arguments***

4. Applicant's arguments filed 8/10/07 have been fully considered but they are not persuasive.

Applicant argues that Borland does disclose a user interface screen that provides simultaneously together a prompt for receiving the destination and a hot list of candidates' destinations. The hot list provided with the candidate destinations can be interpreted as a prompt through which the user can select to receive the destination information. The hot list with user input is itself a prompt for receiving destination information.

#### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

In responding to this office action, please note that the examiner of record for the above-identified application has changed. Please direct all future correspondence to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached from 8:30 AM - 5:30 PM.




If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai  
Patent Examiner  
Art Unit 2173  
October 25, 2007

  
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